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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,206	04/26/2000	Daniel Manhung Wong	OR00-01101	1513

22835 7590 08/23/2004

PARK, VAUGHAN & FLEMING LLP
508 SECOND STREET
SUITE 201
DAVIS, CA 95616

EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 08/23/2004

19

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/559,206

Applicant(s)

WONG, DANIEL MANHUNG

Examiner

Baoquoc N To

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,7-9,11-13,15-17,19-21 and 23-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26,29 and 32 is/are rejected.
- 7) ☒ Claim(s) 27-28, 30-31 and 33-34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/17/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Continued Prosecution Application

1. The request filed on 02/17/2004 for a Request For Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/559206 is acceptable and a RCE has been established. An action on the RCE follows.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 02/17/04. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

3. Claims 1-3, 5, 7-9, 11-13, 15-17, 19-21 and 23-24, claims 2, 6, 10, 14, 18 and 22 are canceled by the examiner amendment, claims 25-34 are newly added. Claims 1-3, 5, 7-9, 11-13, 15-17, 19-21 and 2334 are pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 26, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maier et al. (US. Patent No. 5,625,815).

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Regarding on claims 26, 29 and 32, Maier teaches a method for selectively auditing accesses to a relational database, comprising:

Receiving a database operation for the relational database (col. 3, lines 65-67);

Processing the database operation to produce a database operation result (col. 6, lines 35-36), wherein processing the database operation includes:

Creating the auditing records for rows in relational tables that are accessed by the database operations, and that satisfy the auditing condition (col. 4, lines 10-12); and

Recording the audit record in an audit record store (col. 4, line 12); and

returning the database operation result (col. 6, lines 35-39).

Maier does not explicitly teach selectively auditing an access to the relational database based on an auditing condition, wherein the auditing condition specified a condition based on a value of a field in a row in the relational database. However, Maier teaches "it is often the case that an application program needs to access database table in accordance with a set of column values, at least some of which are not included in the primary index. When that is the case, a Create Index procedure can be used to create an efficient access path to the database table by ordering data according to the values in any specified set of columns. That ordering is represented by an "Alternated Index," which is typically implemented as a separate data structure from the associated database table....The alternate index 170 includes a file label 172, which include

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a compactly stored copy of the catalog information for an index... The row of the data array 176 are called records 178, and each row of the Alternate Index corresponds to one record of the associated database table. Furthermore, each row of the Alternate Index has two fields: one represents the alternate key value for the corresponding database record, and one represents the Primary Key value for the same database table record" (col. 5, lines 17-41). This suggests an access to records base on the alternate index values. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Maier system to include the alternate index values as auditing condition specified a condition based on a values of a filed in the row in order to provide the system to allow the operation to be one on the authorized rows.

Object for Allowable

5. Claim 27-28, 30-31 and 33-34 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

6. Claims 1, 3, 5, 7-9, 11-13, 15-17, 19-21 and 23-25 are allowable over prior art of records.

None of the prior art made of record neither teach or suggest "selectively auditing an access to the relational database, wherein selectively auditing the access involves automatically modifying the query prior to processing the query,

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so that processing the query causes an audit record to be created and records only for rows in relational tables that are accessed by the query and the satisfy an auditing condition; wherein satisfying the auditing condition allows selective auditing of the query and not for other rows, wherein the auditing condition specifies a condition based on a value of field in a row in the relational database, and wherein satisfying the auditing on condition allows selective auditing of the query, wherein if the query includes a select statement, inserting a case statement into the select statement that cause the audit record to be created and recorded if the auditing condition is satisfied, wherein inserting the case statement into the query further comprises: inserting the case statement into the query, allowing a query processor to allocate buffer for the query, removing the case statement from the query, allowing the query generate a query plan for the query, and scheduling the case statement near the end of the query plan to ensure that the case statement is evaluated only after other conditions of the query are satisfied, so that the auditing record is created only for rows that are actually accessed by the query” in conjunction with other claims limitations “receiving a query for the relational database; processing the modified query to produce a query result, wherein processing the modified query includes, creating the auditing records for rows in relational tables that are accessed by the query and that satisfy the auditing condition, and recording the audit record store; and returning query result.”

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Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tam (US. Patent No. 6,374,247 B1)

Patent date: 04/16/2002

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:


Crystal Park II
2121 Crystal Drive
Arlington, VA 22202

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Fourth Floor (Receptionist).

Baoquoc N. To

August 19, 2004


JEAN M. CORRIELUS
PRIMARY EXAMINER